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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/224,211 12/30/98 WASSOM

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EXAMINER

TM02/0409

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ART UNIT

PAPER NUMBER

2173

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.  
09/224,211

Applicant(s)

Jack Wassom et al.

Examiner

Tadesse Hallu

Group Art Unit  
2173

☒ Responsive to communication(s) filed on Mar 19, 2001

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 1, 2, 4-19, 21, 24-30, 32-47, 49, and 52-60 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1, 2, 4-19, 21, 24-30, 32-47, 49, and 52-60 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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**DETAILED ACTION**

1. This Office Action is in response to an amendment filed on 3/19/2001

*Status of the claims*

2. Claims 3, 20, 22, 23, 31, 48, 50, and 51 have been canceled, and claims 1, 2, 4-19, 21, 24-30, 32-47, 49, and the new claims 56-60 are pending.

*Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1, 2, 4-19, 21, 24-30, 32-47, 49, 52-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carpenter et al. (WO 97/34388) in view of Arcuri et al. (6,133,915).**

Carpenter et al. ("Carpenter") relates to user interface, wherein there is a system and method defining themes or graphical objects based on a common user interface for interacting with a computer information service.

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Arcuri et al. ("Arcuri") relates to a system and method for customizing the presentation of control elements on a toolbar.

Per claims 1, 28 and 29:

Carpenter does disclose *Login Screen 10, 12 or Who Are You* screen ("receiving a user identifier") *when initiating a session with the online service* (see Fig. 1A). Based on the identified or selected user (such as a parent or kid), *the online service* (host computer 108) associates such user with a group of users such as demographic group with a different maturity levels (adults, kids, or teens) (see Figs. 1A-C, page 6, lines 7-page 8, lines 14). Once a user is associated to a determined group (adults, kids, or teens) an information service provider (host computer 108) "automatically" provides a set of controls configured differently for a different themes, although designed to allow the subscriber to easily and quickly locate content. For example as seen in Figs. 1A-C, the *children's themes* 12, 16, 20, 24 and 28 are different than *standard themes* 10, 14, 18, 22 and 26 respectively. In fig 1B for example, the children's theme 20 does not include the topics (Entertainment, Living, Sport, and Money) which are more likely to be of interest to adults and therefore included on the standard theme (see Figs. 1A-C, page 6, lines 7-page 8, lines 14).

In addition, Carpenter's user interface does disclose a Main Menu screen (topics/action screen) as shown in Figs. b. This *action options* are represented as round buttons at the bottom of the Main Menu screen appearing in one row. In addition each action option is assigned a distinctive color. Thus, Carpenter's *action options* could be considered as a tool bar, but

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Carpenter fall short to mentioned it. However, Arcuri does disclose user interface having a toolbar (see Arcuri: Abstract, Figs. 2a-2e).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to incorporate Carpenter's *action options* control with Arcuri's customized toolbar controls so that Carpenter's graphical interaction system will be enhanced and it also provides a greater flexibility of interactions.

Per claims 2 and 30:

Carpenter discloses displaying the set of controls or options under each theme, such as topics/action options (Main Menu) (see page 6, lines 7-23, & Fig. 1A-C).

Per claims 4 and 32:

Carpenter's user interface controls include a configurable button (see page 6, lines 1-6, & Fig. 1A-C).

Per claims 5 and 33:

The user interface controls of Arcuri does include a pull-down menu control (see Arcuri: Figs. 2a-2e).

Per claims 6 and 34:

Carpenter's user interface provides a customized control interface wherein the controls may be configured differently for a different theme (page 3, line 17-page 4, line 8, page 7, lines 1-19, page 11, lines 1-9).

Per claims 7-10, 35-38:

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Arcuri discloses customizing, changing, such as adding/removing a user interface control (see Arcuri: abstract, Figs. 2a-2e, col 3, line 20-col 4, line 6).

Per claims 11-13 and 39-41:

Carpenter describes a specific demographic group such as adults, kids, or teens (see page 5, lines 3-8, Page 8, lines 1-6).

Per claims 14 and 42:

Carpenter further describes controlling content in a number of ways such as access control via inclusion/exclusion of content pointers from various menus for a specific demographic group (page 17, lines 11-22).

Per claims 15-17 and 43-45:

Carpenter's information service system further provides e-mail, network browsing and chat services (page 16, lines 20-page 17, lines 10, Figs 1A-C, and Fig. 4).

Per claims 18, 19 and 46, 47:

Carpenter further discloses receiving user information via a network connection and based on the received user information content determining the group (Fig. 4, page 16, lines 20-page 17, lines 22).

Per claims 21, 24-26 and 49, 52-54:

Carpenter further discloses Login Screen to identify a user and associating such user to a group of users such as demographic group such as adults, kids, or teens. Selection of one of these groups is also shown. Carpenter further discloses the grouping further provides an identification

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user characteristic such as age, and each group has identifying services user permitted to access (see Fig. 1A-C, pages 6, lines 7-page 8, line 14, 19, page 9, lines 3-13).

Per claims 27 and 55:

Carpenter further provides receiving information from a remote site describing the set of user interface controls (Fig. 4, page 16, line 20-page 17, line 23 ).

Per claims 56 and 57:

Carpenter discloses that user maturity includes age (demographic group such as adults, kids, or teens) (page 5, lines 3-8, page 8, lines 2-6).

Per claims 58-60:

The system of Carpenter associates a group with a user identifier (such as a kid or parent) as defined by a user entry such as adult (page 6, lines 7-page 8, lines 14, page 9, lines 3-13).

### ***Response to Arguments***

5. Applicant's arguments filed 3/19/2001 have been fully considered but they are not persuasive.

Applicant argues that "Carpenter does not describe or suggest receiving a user identifier, associating a grouping with the user identifier by selecting a grouping from among a plurality of groupings, and automatically providing a set of user interface controls corresponding to the identified grouping, where the set of user interface controls includes a toolbar, as recited in claims

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1 and 29.” In contrast to the applicant’s argument statement, Carpenter does disclose *Login Screen 10, 12 or Who Are You* screen (“receiving a user identifier”) *when initiating a session with the online service* (see Fig. 1A). Based on the identified or selected user (such as a parent or kid), *the online service* (host computer 108) associates such user with a group of users such as demographic group with a different maturity levels (adults, kids, or teens) (see Figs. 1Ac, page 6-8). Once a user is associated to a determined group (adults, kids, or teens) an information service provider (host computer 108) provides a set of controls configured differently for a different themes, although designed to allow the subscriber to easily and quickly locate content. For example as seen in Figs. 1A-c, the *children’s themes* 12, 16, 20, 24 and 28 are different than *standard themes* 10, 14, 18, 22 and 26 respectively . In fig b for example, the children’s theme 20 does not include the topics (Entertainment, Living, Sport, and Money) which are more likely to be of interest to adults and therefore included on the standard theme (see Figs. 1A-C, page 6-8).

Applicant also argues that “Arcuri does not teach automatically producing a toolbar, as recited in claim 28, and does not teach automatically providing a set of user interface controls, as recited in claims 1 and 29.” In contrast to the applicant’s argument statement, Arcuri does disclose a toolbar having a set of user interface controls (see Arcuri: abstract, Figs. 2a-e).

### ***Conclusion***

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6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to *Tadesse Hailu*, whose telephone number is (703) 306-2799. The Examiner can normally be reached on M-F from 9:00 - 5:30 ET. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, *John Cabeca*, can be reached at (703) 308-3116 Art Unit 2173 CPK 2-4A51

8. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

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*Tadesse Hailu* 04 April 2001

  
**RAYMOND J. BAYERL**  
**PRIMARY EXAMINER**  
**ART UNIT 2173**